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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,960	06/04/2001	Kazuhiro Kudoh	00-169925	2545

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/871,960

Applicant(s)

KUDOH, KAZUHIRO

Examiner

Gerald Gauthier

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

### A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3,4,5</u> . | 6) <input type="checkbox"/> Other: ____.  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue (US 6,618,586) in view of Muramatsu (US 2001/0051536) and in further view of Knuth (US 5,646,979).

Regarding **claim 1**, Inoue discloses a device for searching directory memory of portable cellular phone (column 1, lines 7-9), (which reads on claimed "a mobile communications terminal device"), comprising:

storage means for registering beforehand the name of an originator (column 5, line 54 "name"), at least one of the telephone number (column 5, line 54 "telephone number") and mail address (column 5, line 54 "address") of said originator at the time of a call incoming (column 5, line 10 "received call") from said originator and a character string (column 5, line 30 "telephone number") corresponding to the voice information designating said originator (column 5, lines 46-55) [FIG. 5 shows the name, telephone number and address of the caller being stored while the call is in progress];

voice output means (2 on FIG. 2) for ringing with the kind of the incoming identification tone corresponding to said originator at the time of the call incoming

(column 5, lines 10-21) [The radio communication section executes the telephone call as the voice output means in the cellular phone device].

Inoue discloses ringing the telephone but fails to disclose the kind of an incoming identification tone.

However, Muramatsu teaches the kind of an incoming identification tone (¶ 0033) [The memory stores the name data and sound patterns associated with the caller names].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the kind of an incoming identification tone of Muramatsu in the invention of Inoue.

The modification of the invention would offer the capability of the kind of an incoming identification tone such as the system would allow the user to recognize whom is calling before the phone goes off-hook.

Inoue and Muramatsu disclose calling sound from the mobile phone but fail to disclose the output means to output the voice information corresponding to the character string.

However, Knuth teaches control means (46 on FIG. 2) for controlling said voice output means to output the voice information corresponding to the character string registered in said storage means in response to an external instruction (60 on FIG. 2) while said voice output means is ringing (column 5, lines 11-26) [The operation of the nodes is controlled by the controller in response to user activated output switch].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the output means to output the voice information corresponding to the character string of Knuth in the invention of Inoue and Muramatsu.

The modification of the invention would offer the capability of the output means to output the voice information corresponding to the character string such as the system would provide to a cordless telephone with voice announced calling party identification.

Regarding **claims 2 and 7**, Knuth teaches, wherein said control means controls said voice output means to output said voice information after stopping to ring in response to the external instruction (column 5, lines 11-26).

Regarding **claims 3 and 8**, Knuth teaches, wherein said control means controls said voice output means to output said voice information after reducing the output volume of ringing in response to the external instruction (column 5, lines 11-26).

Regarding **claims 4 and 9**, Muramatsu teaches, wherein said voice output means outputs the voice information corresponding to at least one of the telephone number and the mail address of said originator as an incoming identification tone at the time of said call incoming (§ 0033).

Regarding **claims 5 and 10**, Knuth teaches, wherein said voice output means outputs the primary information regarding the discriminating ringing or the originator as

the voice information instead of said incoming identification tone (column 5, lines 11-26).

Regarding **claim 6**, Inoue discloses a device for searching directory memory of portable cellular phone (column 1, lines 7-9), (which reads on claimed “a method for identifying an incoming call in a mobile communications terminal device”), comprising steps of:

outputting the voice information corresponding to a character string registered in (column 5, lines 10-21) [The radio communication section executes the telephone call as the voice output means in the cellular phone device],

storage means for registering beforehand the name of the originator, at least one of the telephone number and mail address of said originator (column 5, lines 46-55) [FIG. 5 shows the name, telephone number and address of the caller being stored while the call is in progress].

Inoue discloses ringing the telephone but fails to disclose the kind of an incoming identification tone.

However, Muramatsu teaches the kind of the incoming identification tone at the time of the call incoming from said originator, ringing with the kind of an incoming identification tone corresponding to an originator at the time of a call incoming (§ 0033) [The memory stores the name data and sound patterns associated with the caller names].

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It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the kind of an incoming identification tone of Muramatsu in the invention of Inoue.

The modification of the invention would offer the capability of the kind of an incoming identification tone such as the system would allow the user to recognize whom is calling before the phone goes off-hook.

Inoue and Muramatsu disclose calling sound from the mobile phone but fail to disclose the output means to output the voice information corresponding to the character string.

However, Knuth the character string corresponding to the voice information designating said originator, in response to an external instruction during the ringing of said incoming identification tone (column 5, lines 11-26) [The operation of the nodes is controlled by the controller in response to user activated output switch].

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to use the output means to output the voice information corresponding to the character string of Knuth in the invention of Inoue and Muramatsu.

The modification of the invention would offer the capability of the output means to output the voice information corresponding to the character string such as the system would provide to a cordless telephone with voice announced calling party identification.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Fleming, III is cited for a method of programming telephone numbers and identifiers in a telephone (FIG. 1).

Becker et al. is cited for a method for handling phone numbers in mobile station (FIG. 1).

Komiyama is cited for a communication device for producing a color illumination identifying a calling source (FIG. 1).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (703) 305-0981. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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March 7, 2004